

ENTERED

January 17, 2017

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

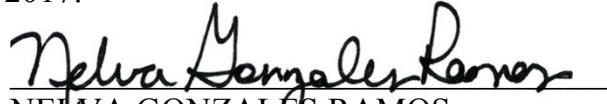
DANNY GONZALES, §
§
Plaintiff, §
VS. § CIVIL ACTION NO. 2:16-CV-00153
§
NUECES COUNTY, TEXAS, *et al*, §
§
Defendants. §

ORDER

On December 15, 2016, Defendant Nueces County, Texas filed its “Suggestion of Defendant Justin Noland’s Pre-Suit Death and Motion to Dismiss Claims Against Defendant Noland” (D.E. 28). Plaintiff filed his “Motion for Leave to File Plaintiff’s Second Amended Original Complaint” (D.E. 29) and a Response (D.E. 30) to the motion to dismiss, noting that he was seeking leave to amend to dismiss Defendant Noland and that the motion to dismiss was therefore moot.

After due consideration, the Court GRANTS the motion to dismiss and DISMISSES all claims against Justin Noland. The Court DENIES Plaintiff’s motion for leave, noting that, by Order (D.E. 32) issued January 4, 2017, the Court has directed Plaintiff to address additional matters before leave to amend will be granted.

ORDERED this 17th day of January, 2017.



NELVA GONZALES RAMOS
UNITED STATES DISTRICT JUDGE